



SEP 03 2024

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISIONNATHAN OCHSNER
CLERK OF COURT

UNITED STATES OF AMERICA

§
§
§
§
§V. VICTOR HUGO DE LA CRUZ, JR.
RENE ADAN FLORES

CRIMINAL NO.

M-24-1258

SEALED INDICTMENT**THE GRAND JURY CHARGES:****INTRODUCTION**

At all times material to this Indictment:

1. The City of Edcouch (Edcouch) is a city located in the Rio Grande Valley in the Southern District of Texas. During 2019, Edcouch received in excess of \$10,000 in federal financial assistance.
2. VICTOR HUGO DE LA CRUZ, JR. (DE LA CRUZ) was the City Manager for Edcouch.
3. RENE ADAN FLORES (FLORES) was the Mayor Pro-Tem for Edcouch.
4. Person 1 owned and operated Business A in Brownsville, Texas, which performed marketing and other services for its clients around the Rio Grande Valley.

COUNT ONE
(Conspiracy)

5. Beginning in or about June 2019 and continuing through in or about September 2019, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, the Defendants,

**VICTOR HUGO DE LA CRUZ, JR. and
RENE ADAN FLORES,**

did knowingly combine, conspire, confederate and agree with each other and others known and unknown to the Grand Jury, to commit offenses against the United States, namely:

- a. being an agent of Edcouch, a local government or agency thereof that receives, in any one-year period, benefits in excess of \$10,000 under a federal assistance program, did corruptly solicit and demand for the benefit of any person, and accept and agree to accept, anything of value from any person, intending to be influenced and rewarded in connection with any business, transaction, and series of transactions of such local government or agency involving \$5,000 or more, in violation of Title 18, United States Code, Section 666(a)(1)(B);
- b. to use and cause the use of a facility in interstate commerce to promote bribery of a public official, in violation of Title 18, United States Code, Section 1952.

Manner and Means of the Conspiracy

It was part of the conspiracy that:

6. Defendants DE LA CRUZ and FLORES sought to use their positions as officials in Edcouch to obtain money from a private company and private individual in exchange for assistance in obtaining a contract, business agreement, project, or work assignment with Edcouch.
7. DE LA CRUZ and FLORES agreed with Person 1 that Edcouch would pay Business A for marketing work Business A would perform for Edcouch, and, in exchange, Person 1 would pay kickbacks to FLORES.

8. Under this agreement, Edcouch made two payments to Business A. In return, Person 1 paid two kickbacks to FLORES.

Overt Acts of the Conspiracy

9. In furtherance of the conspiracy and to achieve the objects thereof, at least one of the co-conspirators committed or caused to be committed, in the Southern District of Texas and elsewhere, at least one of the following overt acts, among others:

10. On or about July 9, 2019, DE LA CRUZ and FLORES met with Person 1 and agreed that Edcouch would award business to Business A in exchange for payments from Person 1 to FLORES.

11. On or about July 11, 2019, Edcouch issued a \$3000 check to Business A.

12. On or about July 15, 2019, DE LA CRUZ told Person 1 that FLORES was expecting his payment.

13. On or about July 23, 2019, Person 1 met with DE LA CRUZ and FLORES and paid \$1000 to FLORES.

14. On or about September 12, 2019, Edcouch issued a \$3000 check to Business A.

15. On or about September 24, 2019, Person 1 met with DE LA CRUZ and FLORES and paid \$1000 to FLORES.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO
(Federal Program Bribery)

16. The Grand Jury adopts, realleges, and incorporates herein the Introduction section of the Indictment and the Manner and Means and Overt Acts sections of Count One of the Indictment as if set out fully herein.

17. From in or about June 2019 through in or about September 2019, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, defendants,

**VICTOR HUGO DE LA CRUZ JR. and
RENE ADAN FLORES,**

being an agent of Edcouch, a local government or agency thereof, that receives, in any one-year period, benefits in excess of \$10,000 under a federal assistance program, did, aiding and abetting each other, corruptly solicit and demand for the benefit of any person, and accept and agree to accept, anything of value from Person 1, intending to be influenced and rewarded in connection with any business, transaction, and series of transactions of such local government or agency involving anything of value of \$5,000 or more, namely, marketing work for the City of Edcouch.

In violation of Title 18, United States Code, Sections 666(a)(1)(B) and 2.

COUNTS THREE-FOUR
(Travel Act-State Law Bribery)

18. The Grand Jury adopts, realleges, and incorporates herein the Introduction section of the Indictment and the Manner and Means and Overt Acts sections of Count One of the Indictment as if set out fully herein.

19. From in or about June 2019 through in or about September 2019, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, defendants,

**VICTOR HUGO DE LA CRUZ JR. and
RENE ADAN FLORES,**

aiding and abetting each other, did knowingly use and cause to be used a facility in interstate and foreign commerce, as described below, with intent to promote, manage, establish and carry on, and to facilitate the promotion, management, establishment and carrying on of an unlawful

activity, namely, bribery in violation of Texas Penal Code § 36.02, and thereafter performed and attempted to perform acts in furtherance of the unlawful activity.

Count	Date	Defendant	Use of Facility in Interstate Commerce-Telephone
3	On or about 09/24/2019	VICTOR HUGO DE LA CRUZ	Telephone call between DE LA CRUZ and Person 1 arranging a meeting to pay the kickback to FLORES.
4	On or about 09/24/2019	VICTOR HUGO DE LA CRUZ	Telephone call between DE LA CRUZ and Person 1 requesting a follow up meeting with DE LA CRUZ and FLORES.

In violation of Title 18, United States Code Section, 1952(a)(3) and 2.

NOTICE OF FORFEITURE

20. Pursuant to Title 18, United States Code, Section 981(a)(1)(C), through application of Title 28, United States Code, Section 2461(c), the United States gives notice to Defendants,

**VICTOR HUGO DE LA CRUZ JR. and
RENE ADAN FLORES,**

that upon conviction of a violation of Title 18, United States Code, Sections 371, 666 or 1952, all property, real or personal, which constitutes or is derived from proceeds traceable to such offenses, is subject to forfeiture.

Money Judgment and Substitute Assets

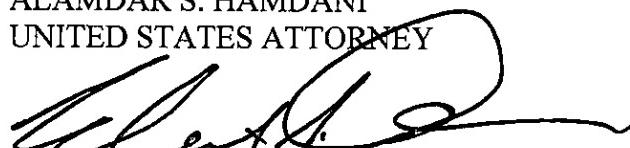
21. The United States gives notice that it will seek a money judgment against each Defendant. In the event that one or more conditions listed in Title 21, United States Code,

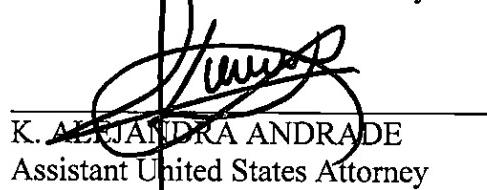
Section 853(p) exist, the United States will seek to forfeit any other property of the Defendants up to the amount of the money judgment.

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

ALAMDAR S. HAMDANI
UNITED STATES ATTORNEY


ROBERT S. JOHNSON
Assistant United States Attorney


K. ALEJANDRA ANDRADE
Assistant United States Attorney